

1 LAURIE A. TRAKTMAN (SBN 165588)

2 email: lat@gslaw.org

3 **GILBERT & SACKMAN**

4 **A Law Corporation**

5 3699 Wilshire Boulevard, Suite 1200

6 Los Angeles, California 90010

7 Telephone: (323) 938-3000

8 Facsimile: (323) 937-3139

9 Attorneys for Plaintiffs

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 BOARD OF TRUSTEES OF THE INLAND
13 REFRIGERATION AND AIR CONDITIONING
14 HEALTH AND WELFARE TRUST FUND
15 AND BOARD OF TRUSTEES OF THE
16 INLAND REFRIGERATION AND AIR
17 CONDITIONING RETIREMENT TRUST
18 FUND; PIPING INDUSTRY PROGRESS AND
19 EDUCATION TRUST FUND; APPRENTICE &
20 JOURNEYMAN TRAINING TRUST FUND OF
21 THE SOUTHERN CALIFORNIA PLUMBING
22 & PIPING INDUSTRY; JOINT
23 JOURNEYMAN & APPRENTICE TRAINING
24 CENTER; INTERNATIONAL TRAINING
25 FUND; AIR CONDITIONING,
26 REFRIGERATION AND MECHANICAL
27 CONTRACTORS ASSOCIATION OF
28 SOUTHERN CALIFORNIA; SOUTHERN
CALIFORNIA PIPE TRADES DISTRICT
COUNCIL 16 OF THE UNITED
ASSOCIATION; UNITED ASSOCIATION
LOCAL 364; UNITED ASSOCIATION LOCAL
398; SOUTHERN CALIFORNIA PIPE
TRADES DEFINED CONTRIBUTION FUND,

Plaintiffs,

v.

INLAND MECHANICAL SERVICES, INC.;
LEONEL TRUJILLO; DIANA ELISA
TRUJILLO and FRANCISCO MIGUEL
SILVA, individuals,

Defendants.

JS-6

Case No. 5:16-cv-327 RGK(DTBx)

Hon. R. Gary Klausner

~~[PROPOSED]~~ ORDER ON
SUPPLEMENTAL STIPULATION
FOR JUDGMENT

Pursuant to the Stipulation by and between Plaintiffs BOARD OF TRUSTEES OF THE INLAND REFRIGERATION AND AIR CONDITIONING HEALTH AND WELFARE TRUST FUND (“Health Plan”); INLAND REFRIGERATION AND AIR CONDITIONING RETIREMENT TRUST FUND (“401(a) Plan”); PIPING INDUSTRY PROGRESS AND EDUCATION TRUST FUND (“Pipe Fund”); APPRENTICE & JOURNEYMAN TRAINING TRUST FUND OF THE SOUTHERN CALIFORNIA PLUMBING & PIPING INDUSTRY (“AJTF”); JOINT JOURNEYMAN & APPRENTICE TRAINING CENTER (“JJATC”); INTERNATIONAL TRAINING FUND (“ITF”); AIR CONDITIONING, REFRIGERATION AND MECHANICAL CONTRACTORS ASSOCIATION OF SOUTHERN CALIFORNIA (“ARCA/MCA”); SOUTHERN CALIFORNIA PIPE TRADES DISTRICT COUNCIL 16 OF THE UNITED ASSOCIATION (“DC16 Dues”); UNITED ASSOCIATION LOCAL 364 (“364 Dues”); UNITED LOCAL 398 (“398 Dues”), SOUTHERN CALIFORNIA PIPE TRADES DEFINED CONTRIBUTION FUND (“401(k) Plan”) (collectively the “Plans” or “Trust Funds”), and Defendants, LEONEL TRUJILLO; DIANA ELISA TRUJILLO and FRANCISCO MIGUEL SILVA (“Individual Defendants”); and INLAND MECHANICAL SERVICES, INC. (“Company”) subject to the approval of this Court:

Accordingly, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as follows:

1. That the Company and Individual Defendants are indebted to the Plans in the total amount of \$184,572.51 as follows: \$111,353.98 in audit contributions conducted for the period of October 1, 2012 through March 31, 2015; \$25,635.71 in contributions for the work months of April 2015 to February 2016; \$11,135.40 in liquidated damages for late payment or nonpayment of the audit contributions conducted for the period of October 1, 2012 through March 31, 2015; \$2,688.89 in liquidated damages for late payment or nonpayment of the contributions for the period of April 2015 to February 2016; \$19,883.03 in interest for late payment or nonpayment of audit contributions conducted for the period of October 1, 2012 through March 31, 2015; \$1,375.50 in

1 estimated interest for late payment or nonpayment of contributions conducted for the
2 period of April 2015 to February 2016; and, attorney's fees in the amount of \$12,500.00.

3 2. Judgment is entered in favor of the Plans and against the Company and
4 Individual Defendant, jointly and severally, in the amount of \$184,572.51 for delinquent
5 employee benefit plan contributions, audit contributions, accrued liquidated damages,
6 interest, attorney fees and costs, together with post-judgment interest thereon at the rate
7 of 12% per annum as of the date of the Judgment.

8 3. This Court retains jurisdiction over this matter through January 15, 2018 to
9 enforce the terms of any judgment entered hereunder, to order appropriate injunctive and
10 equitable relief, to make appropriate orders of contempt, and to increase the amount of
11 judgment based upon additional sums owed to the Plans by Defendants.

12
13 **IT IS SO ORDERED.**

14
15 Dated: May 12, 2016



16
17
18
19
20
21
22
23
24
25
26
27
28

Hon. R. Gary Klausner